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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/367,761 08/19/99 DEGENKAMP

G 2019.000500

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PM82/0905

EXAMINER

BASINGER, S

ART UNIT	PAPER NUMBER
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3617

DATE MAILED:

09/05/00

09/05/00


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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No. 09/367,761	Applicant(s) Degenkamp
Examiner Sherman Basinger	Group Art Unit 3617



☒ Responsive to communication(s) filed on Aug 14, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-31 and 33-36 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-3, 30, 31, and 33-36 is/are rejected.

☒ Claim(s) 4-29 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on Aug 14, 2000 is ☒ Approved ☐ Disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Response to the Amendment filed August 14, 2000

1. The amendments to claims 4, 7, 8, 11, 14, 21, 24 and 28 have not been entered. Applicant requested changes to these claims; however, what was to be changed cannot be found in the claims as filed. For example, applicant requested that in claim 8 "any one of the preceding claims" be deleted. However, in claim 8, as originally filed, the language "any one of the preceding claims" does not appear.
2. In the amendment applicant canceled claims 32-35; however, only claims 1-32 were originally filed. Thus only claim 32 has been canceled.
3. **Since only claims 1-32 were originally filed claims 36-39 have been renumbered under 37 CFR 1.126 as claims 36-39.**
4. The changes to claims 6, 23 and 27, when entered, rendered errors in these claims. Claim 6 now depends from "claim 4 or claim 4". Claim 23 now depends from "claim 20, 21 or 20". Claim 27 now depends from "claim 25 or 25".

Drawings

5. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on August 14, 2000 have been approved.

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6. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the spring of claim 31 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Specification

7. Legal phraseology such as "said" or "means" should be deleted from the abstract filed August 14, 2000 or changed to non-legal phraseology. See MPEP 608.01(b).

8. Subtitles similar to those listed in 37 C.F.R. 1.77 should be inserted throughout the specification.

9. The PCT application numbers appearing in lines 32 and 33 of page 1 and line 1 of page 2 should be replaced by the publication number and publication date for each. *It is noted that applicant is in the process of getting the publication numbers for each.*

Claim Objections

10. Claims 7-29 are objected to under 37 CFR 1.75© as being in improper form because a multiple dependent claim cannot depend upon another multiple dependent claims. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Claim 6 is also objected to as being an improper multiple dependent claim because it depends in the alternative from claim 4; i.e. claim 6 is an anchor according to claim 4 or 4.

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11. Claims 1, 4, 30 and 31 are objected to because of the following informalities: in claim 1, next to the last line "fluke" is misspelled; in claim 4, line 3 "pin at" should have a space between the two terms; in claim 4, line 3 the term "coupling" is smeared so that it is hard to see; and in claims 30 and 31 "claim" should be inserted before "1". Appropriate correction is required.

Claim Rejections - 35 USC § 112

12. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

13. Claim 31 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Applicant has failed to describe in detail such that it can be made and used the spring of claim 31.

In amending the disclosure, new matter should not be entered.

14. Claim 33 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification as originally filed does not describe in detail the lock of claim 33.

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15. Claim 31 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 31, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

16. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

17. Claims 1, 2, 3, 30, 31 and 33-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Japan 60-67289.

In Japan 60-67289 the fluke with the longitudinal axis is clearly shown at the end of the shank 8, the anchor line is 5, the first coupling situated on the side of the fluke and being a pin is formed by ring-7, the second coupling situated on the side of the anchor line is hook 1, 2 and 4 and the operation means is 5 of figure 1 as opposed to chain 5 of figure 2. The hook is rigid absent the pivoted end of the hook. The anchor line in decoupling the hook and pin enlarges its angle with respect to the longitudinal axis of the fluke as is shown in figures 2 and 3. The hook

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pivots about axis 10 which is parallel to the axis of pin 7 and is located on the side of the pin facing away from the fluke as is clearly shown in figure 1.

Claim 2 is clearly met as is shown in figures 4 and 5.

The means of claim 3 would be 5 of figure 1.

Claim 30 is met by what is shown in figures 2 and 3.

The resistance of claim 31 is that between the pivoted end of the hook and the ring 5 of figure 1.

Claim 33 is met by what is shown in figure 5 in that the anchor line is now moving in a direction opposite to which is hook is moving.

Allowable Subject Matter

18. Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

19. Applicant's arguments filed August 14, 2000 have been fully considered but they are not persuasive. Attached to this action is a marked up copy of the drawings of Japan 60-67289 which show how this reference meets the limitations argued.

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Conclusion

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherman Basinger whose telephone number is (703) 308-1139. The examiner can normally be reached Monday through Friday from 6:15 A.M. Eastern Time to 02:15 P.M. Eastern Time.

22. If the examiner is unavailable for a telephone conference, a message can be recorded with "voicemail", and a return call will be forthcoming.

23. The fax phone numbers for this Group are: (703) 305-3597; (703) 305-7687; and (703) 306-4195.

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24. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center receptionist whose telephone number is (703) 308-1113.


Sherman Basinger

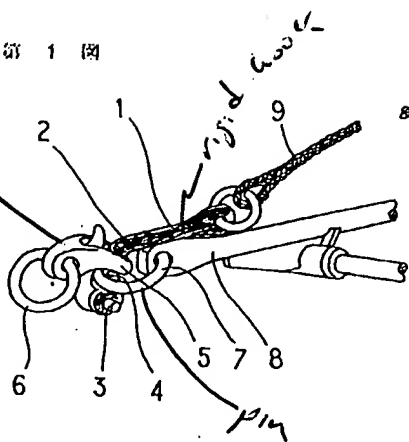
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Primary Examiner, Art Unit 3617

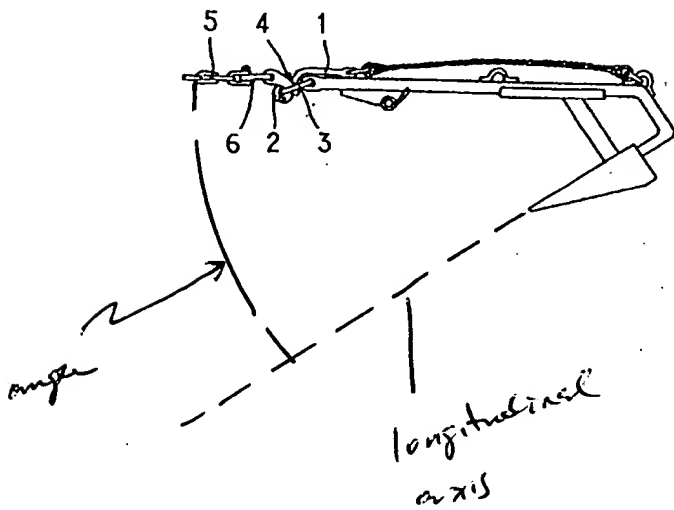
September 5, 2000

operation means

第 1 圖

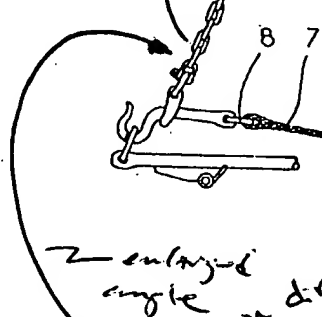


第 2 圖

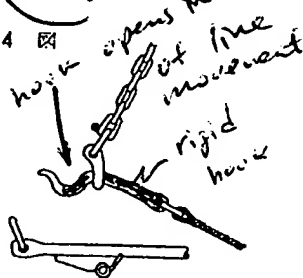


forms parallel axis about which the hook pivots

第 3 圖



第 4 圖



movement of anchor line clearly shows that the angle between the longitudinal axis as enlarged

特開昭60-67289 (3)

